

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARLOW TODD EGGUM,

Petitioner,

V.

DONALD HOLBROOK,¹

Respondent.

Case No. C14-1328-RAJ-MAT

ORDER DIRECTING RESPONDENT
TO FILE BRIEF ADDRESSING
PETITIONER'S SUPPLEMENTAL
AUTHORITY

On December 31, 2019, petitioner filed a notice of supplemental authority directing the Court's attention to a recent published decision by the Washington Court of Appeals, *State v. Dawley*, which addresses the constitutionality of the statute at issue in this case. (Dkt. 145.) On or before **January 31, 2020**, respondent shall file a supplemental brief addressing *Dawley*'s impact on the instant case and responding to the arguments petitioner raises in his notice. Petitioner shall file a reply unless directed by the Court.

¹ Petitioner has been transferred to the Washington State Penitentiary (“WSP”) in Walla Walla, Washington. (See Dkt. 144 at 1 n.1.) Accordingly, the Court directs the Clerk to SUBSTITUTE Donald Holbrook, the WSP Superintendent, as the respondent in this action.

ORDER DIRECTING RESPONDENT TO
FILE BRIEF ADDRESSING
PETITIONER'S SUPPLEMENTAL
AUTHORITY - 1

The Clerk is directed to RE-NOTE respondent's answer (Dkt. 133) and petitioner's motion to expand the record (Dkt. 126) for January 31, 2020, and to send copies of this order to the parties and the Honorable Richard A. Jones.

Dated this 16th day of January, 2020.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge

ORDER DIRECTING RESPONDENT TO
FILE BRIEF ADDRESSING
PETITIONER'S SUPPLEMENTAL
AUTHORITY - 2